



Docket No.: 221694US2PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/089,097  
Applicants: Tomohiro ONDA, et al.  
Filing Date: August 1, 2002  
For: BODY FAT MEASURING METHOD AND DEVICE  
THEREFOR  
Group Art Unit: 3736  
Examiner: WINAKUR, ERIC FRANK

SIR:

Attached hereto for filing are the following papers:

**COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Katherine P. Barecchia*

J. Derek Mason, Ph.D.

Registration No. 35,270

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\ATTY\KDP\22'S\221694US\221694US COMMENTS CVR 10.12.05.DOC

Katherine P. Barecchia

Registration No. 50,607

DOCKET NO: 221694US2PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TOMOHIRO ONDA, ET AL. : EXAMINER: WINAKUR, ERIC FRANK  
SERIAL NO: 10/089,097 :  
FILED: AUGUST 1, 2002 : GROUP ART UNIT: 3736  
FOR: BODY FAT MEASURING :  
METHOD AND DEVICE THEREFOR

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

The "Statement of Reasons for Allowance" included at page of 2-3 of the Notice of

Allowance states:

none of the prior art teaches or suggests a method or apparatus for computing fat quantities including any of the following, in combination with the other claimed steps or elements: use of a measured value to determine a subcutaneous fat thickness; correction of a first voltage (measured between two closely spaced, circumferentially located electrodes) by a second voltage (measured with current passed substantially crossing the subject), with computation of a subcutaneous fat quantity based on the corrected voltage; computation of a fat quantity based on a measured spatial potential gradient; computing a ratio of a crossed-sectional area of body fat to a cross-section area of the subject; multiplying a measured voltage by a power (related to size of the subject) and computing a fat quantity based on the product; or determining a visceral fat quantity based on measured first and second voltages.

Applicants note that the "correction of a first voltage (measured between two closely spaced, circumferentially located electrodes) by a second voltage (measured with current passed substantially crossing the subject)" is not recited in the independent claims.

Additionally, Applicants note that "multiplying a measured voltage by a power (related to size of the subject)" is not recited in the independent claims.

Applicants therefore respectfully request that a revised Statement of Reasons for Allowance be issued without reference to subject matter not recited in the claims.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

J. Derek Mason, Ph.D.  
Attorney of Record  
Registration No. 35,270

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Katherine P. Barecchia  
Registration No. 50,607